

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
WATERFORD TOWNSHIP POLICE & FIRE :
RETIREMENT SYSTEM, on Behalf of Itself :
and All Others Similarly Situated, : 23cv10488 (DLC)
:
Plaintiff, : CASE MANAGEMENT
:
-v- : ORDER
:
NATIONAL INSTRUMENTS CORPORATION, :
EMERSON ELECTRIC CO., ERIC STARKLOFF, :
KAREN RAPP, and DANIEL BERENBAUM, :
:
Defendants. :
:
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DENISE COTE, District Judge:

The Court having conducted a pretrial conference on February 16, 2024 to address the motion for appointment of lead plaintiff and lead counsel in the class action brought against National Instruments Corporation, et al., it is hereby

ORDERED as follows:

I. LEAD PLAINTIFF AND LEAD PLAINTIFF'S COUNSEL

1. Wayne County Employees' Retirement System is appointed Lead Plaintiff.
2. Robbins Geller Rudman & Dowd LLP shall serve as Lead Counsel for the plaintiff in this action and the class.

II. CAPTION

Every pleading filed in this action, and in any separate action subsequently included therein, shall bear the following caption:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE NATIONAL INSTRUMENTS
CORPORATION
SECURITIES LITIGATION

23cv10488(DLC)

III. NEWLY FILED OR TRANSFERRED ACTIONS

3. When a class action that relates to the same subject matter as this action is hereafter filed in or transferred to this Court and assigned to the undersigned, it shall be consolidated with this action (provided that any case transferred to this Court solely for pretrial proceedings shall be consolidated only to that extent absent further order of this Court), and the Clerk of Court shall:
 - a. File a copy of this Order in the separate file for such action.
 - b. Mail a copy of the Order of assignment of counsel for plaintiffs and counsel for each defendant in the consolidated actions.
 - c. Make an appropriate entry in the Docket.
 - d. Mail to the attorneys for the plaintiff(s) in the newly filed or transferred case a copy of this Order.
 - e. Upon the first appearance of any new defendant(s), mail to the attorneys for such defendant(s) in such newly filed or transferred case a copy of this Order.
4. The Clerk shall maintain a separate file for each of the consolidated actions and filings shall be made therein in

accordance with the regular procedures of the Clerk of this Court except as modified by this Order.

5. The Court requests the assistance of counsel in calling to the attention of the Clerk the filing or transfer of any case which might properly be consolidated with this Action.

IV. APPLICATION OF THIS ORDER TO SUBSEQUENT CASES

1. This Order shall apply to each class action assigned to the undersigned alleging claims similar to those set forth in this action against UiPath, Inc. and others.
2. This Order shall apply to each such case which is subsequently filed in or transferred to this Court, and which is assigned to the undersigned unless a party objecting to the consolidation of that case or to any other provision of this Order serves an application for relief from this Order or from any of its provisions within ten (10) days after the date on which the Clerk mails a copy of this Order to counsel for that party.
3. The provisions of this Order shall apply to such action pending the Court's ruling on the application.
4. Unless a plaintiff in a subsequently filed or transferred case is permitted by the Court to use a separate complaint, defendants shall not be required to answer, plead or otherwise move with respect to that complaint in any such case.
5. If a plaintiff in any such case is permitted to use a separate complaint, each defendant shall have thirty (30) days from the date the Court grants such permission within which to answer, plead or otherwise move with respect to any such complaint.


V. SCHEDULE

1. Lead Plaintiff shall file an amended complaint for this action and any actions subsequently consolidated with it on or before **March 29, 2024**. Defendants shall file an answer to the amended complaint or a motion to dismiss the amended complaint by **April 26, 2024**.
2. Pending filing and service of the amended complaint, defendants shall have no obligation to move, answer, or

otherwise respond to any complaints in any actions subsequently consolidated with this action.

3. If a motion to dismiss the amended complaint is filed, Lead Plaintiff shall file a letter by **May 10, 2024**, indicating a desire to further amend its complaint in response to the motion. It is unlikely that Lead Plaintiff will be granted any further opportunities to amend. Any amended complaint must be filed by **May 17, 2024**. If Lead Plaintiff elects not to further amend, it shall file its opposition to the motion to dismiss on or before **May 17, 2024**. Defendants shall file their reply to the opposition(s) to the motion to dismiss on or before **May 31, 2024**.
4. Defendants shall supply the Court with two courtesy copies of the motion papers at the time the reply is served.

Dated: New York, New York
February 16, 2024



DENISE COTE
United States District Judge